



IPU

S&H Form: (12/04)

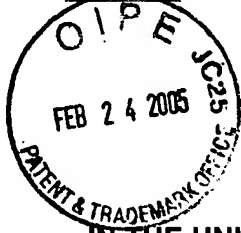
REPLY/AMENDMENT FEE TRANSMITTAL	Attorney Docket No.	1293.1853	
	Application Number	10/657,714	
	Filing Date	September 9, 2003	
	First Named Inventor	Kyung pill KO	
	Group Art Unit	2676	
AMOUNT ENCLOSED	0.00	Examiner Name	Blackman, Anthony J.

FEE CALCULATION (fees effective 12/08/04)					
CLAIMS AS AMENDED	Claims Remaining After Amendment	Highest Number Previously Paid For	Number Extra	Rate	Calculations
TOTAL CLAIMS	35	- 35 =	0	X \$ 50.00 =	\$ 0.00
INDEPENDENT CLAIMS	12	- 12 =	0	X \$ 200.00 =	0.00
Since an Official Action set an <u>original</u> due date of <u>February 24, 2005</u> , petition is hereby made for an extension to cover the date this reply is filed for which the requisite fee is enclosed (1 month (\$120)); (2 months (\$450)); (3 months (\$1,020)); (4 months (\$1,590)); (5 months (\$2,160)):					
If Notice of Appeal is enclosed, add (\$500.00)					
If Statutory Disclaimer under Rule 20(d) is enclosed, add fee (\$130.00)					
Information Disclosure Statement (Rule 1.17(p)) (\$180.00)					
Total of above Calculations =					\$ 0.00
Reduction by 50% for filing by small entity (37 CFR 1.9, 1.27 & 1.28)					
TOTAL FEES DUE =					\$ 0.00
(1) If entry (1) is less than entry (2), entry (3) is "0".					
(2) If entry (2) is less than 20, change entry (2) to "20".					
(4) If entry (4) is less than entry (5), entry (6) is "0".					
(5) If entry (5) is less than 3, change entry (5) to "3".					

METHOD OF PAYMENT	
<input type="checkbox"/>	Check enclosed as payment.
<input type="checkbox"/>	Charge "TOTAL FEES DUE" to the Deposit Account No. below.
<input checked="" type="checkbox"/>	No payment is enclosed and no charges to the Deposit Account are authorized at this time (unless specifically required to obtain a filing date).

GENERAL AUTHORIZATION	
<input checked="" type="checkbox"/>	If the above-noted "AMOUNT ENCLOSED" is not correct, the Commissioner is hereby authorized to credit any overpayment or charge any additional fees necessary to: Deposit Account No. <u>19-3935</u> Deposit Account Name <u>STAAS & HALSEY LLP</u>
<input checked="" type="checkbox"/>	The Commissioner is also authorized to credit any overpayments or charge any additional fees required under 37 CFR 1.16 (filing fees) or 37 CFR 1.17 (processing fees) during the prosecution of this application, including any related application(s) claiming benefit hereof pursuant to 35 USC § 120 (e.g., continuations/divisionals/CIPs under 37 CFR 1.53(b) and/or continuations/divisionals/CPAs under 37 CFR 1.53(d)) to maintain pendency hereof or of any such related application.

SUBMITTED BY: STAAS & HALSEY LLP			
Typed Name	Paul W. Bobowiec	Reg. No.	47,431
Signature		Date	February 24, 2005



Docket No.: 1293.1853

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Kyung pill KO

Serial No. 10/657,714

Group Art Unit: 2676

Confirmation No. 8736

Filed: September 9, 2003

Examiner: Blackman, Anthony J.

For: APPARATUS AND METHOD FOR ADJUSTING BRIGHTNESS AND COLOR
TEMPERATURE

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

This is responsive to the Office Action mailed January 24, 2005 and having a shortened period for response set to expire on February 24, 2005, the following remarks are provided.

I. Provisional Election of Claims Pursuant to 37 CFR §1.142

Applicant provisionally elects Group I, claims 1-14 in response to the preliminary restriction requirement set forth in the Office Action.

II. Applicant Traverses the Requirement

Insofar as Groups II, III, and IV are concerned, it is believed that claims 15-35 are so closely related to elected claims 1-14 that they should remain in the same application. The elected claims 1-14 are directed to an apparatus for adjusting brightness on a screen. Claims 15-23 and 28-35 are drawn to a method of adjusting brightness on screen, a method of display adjustment on a screen, and a computer-readable medium encoded with instructions for implementains a method of adjusting brightness on a screen. Claims 24-27 are drawn to a display adjusting apparatus for a display.

MPEP §803 sets forth that "if the search and examineation of an entire application can be made without a serious burden, the examiner must examine it on the merits, even though it includes claims to indepenendent or distinct inventions." Applicant submits that the Examiner

would find references for the contended "combination and subcombination" in the same field of technology. It is believed, moreover, that evaluation of all sets of claims would not provide an undue burden upon the Examiner at this time in comparison with the additional expense and delay to Applicant in having to protect the additional subject matter recited by the Group II, Group III, and Group IV claims by filing a divisional application(s).

The Examiner has not set forth why there would be a serious burden if restriction is required.

Even if the Examiner considers claims 23-28 and claims 29-38 to be a separate invention(s) from claims 1-22, the Applicant respectfully requests the Examiner to consider claims 15-23 and 28-35 (Group II), claims 24-25 (Group III), and claims 26-27 (Group IV) together.

III. Conclusion

Upon review of references involved in this field of technology, Applicant submits it is upon reconsideration of the Examiner's initial restriction requirement, all of the pending claims should be examined in the subject application.

In view of the foregoing amendments, arguments and remarks, all claims are deemed to be allowable and this application is believed to be in condition for allowance.

If any further fees are required in connection with the filing of this Amendment, please charge the same to our deposit account number 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

Date: February 24, 2005

By: Paul W. Bobowiec
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